

**SUPREME COURT MINUTES  
WEDNESDAY, JULY 16, 2003  
SAN FRANCISCO, CALIFORNIA**

**S028339**

PEOPLE v. SMITH (GREGORY CALVIN)  
Rehearing denied

Opinion modified. This modification does not affect the judgment.

Brown, J., was absent and did not participate.

**S116288**

B159591 Second Appellate District,  
Division Four

CRONUS INVESTMENTS v. CONCIERGE SVCS.  
Petition for review granted (civil case)

Brown, J., was absent and did not participate.

Votes: George, C.J., Baxter, Werdegarr, Chin and Moreno, JJ.

**S116471**

E031381 Fourth Appellate District,  
Division Two

LOCKHEED v. S.C. (ADAMS)  
Petition for review granted

Brown, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

**S116644**

H025258 Sixth Appellate District

H. (JARRED), IN RE  
Review granted/briefing deferred (rule 29.1)

Further action deferred pending consideration and disposition of a related issue in *In re S.B.*, S112260 (see Cal. Rules of Court, rule 28.2(c), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Brown, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

**S115776**

B165633 Second Appellate District,  
Division Six

**CERVANTES (JUAN M.) ON H.C.**

Review granted; transferred to CA 2/6 to issue OSC

The matter is transferred to the Second Appellate District, Division Six, and that court is ordered to vacate its summary denial in B165633 dated April 23, 2003, and is directed to issue an order to show cause returnable before the Los Angeles County Superior Court. The Director of Corrections is to be ordered to show cause, when the matter is placed on calendar, why trial counsel was not ineffective in failing to argue that one of petitioner's three prior prison term enhancements may not be imposed because two of the prior prison terms, in case numbers BA063146 and VA025883, were served concurrently, why petitioner is not therefore serving an unauthorized sentence of one year, and why one of the prior prison term enhancements should not be stricken and the abstract of judgment so amended. (See, Pen. Code, § 667.5(g); *In re Harris* (1989) 49 Cal.3d 131, 134, fn. 2; *In re Ricky H.* (1981) 30 Cal.3d 176, 191; *People v. Jones* (1998) 63 Cal.App.4th 744, 747; Attorney General's June 25, 2003 Answer.) The return shall be filed on or before August 15, 2003.

Brown, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter,  
Werdegar, Chin and Moreno, JJ.

**S116710**

E032241 Fourth Appellate District,  
Division Two

**PEOPLE v. LESNER**

Petition for review granted; transferred to CA 4/2

with directions to vacate its decision and to reconsider the cause in light of *Stogner v. California* (June 26, 2003) \_ U.S. \_ {2003 WL 21467073}

Brown, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter,  
Werdegar, Chin and Moreno, JJ.

**S108491**

B158155 Second Appellate District,  
Division Four

**GILMAN v. S.C. (BLUE CROSS)**

Dismissed per rule 29.3(b), and remanded to CA 2/4

Werdegar, J., was recused and did not participate.

Brown, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Chin and Moreno, JJ.

**S062432****TAYLOR (FREDDIE LEE) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus is denied.

Claims I through XVII are denied on the merits.

Claims I through XIII, Claim XV, Claim XVI, and Claim XVII are also procedurally barred, separately and independently, as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799).

Claim VI is also denied, separately and independently, as noncognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

Claim XIV, subclaim e, is also procedurally barred, separately and independently, as repetitive of a claim raised and rejected on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 824-829; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claim VI, Claim X, Claim XI, subclaims c and d, and Claim XIII are also procedurally barred, separately and independently, as pretermitted because they could have been, but were not, raised on appeal. (*In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

In light of the filing of petitioner's reply to the informal response, petitioner's request for

a supplemental briefing schedule is denied as moot.

Kennard, J., would deny claim XVII solely on the merits.

Brown, J., was absent and did not participate.

**S117491**

A103104 First Appellate District,  
Division Five

BROWN v. S.C. (PEOPLE)  
Stay order filed

Pending further order of this court, all proceedings in *People v. Shaundrette Lature Brown*, Napa County Superior Court Number CR 113291, are hereby stayed.

**S115281**

D039749 Fourth Appellate District,  
Division One

HORTON v. SAN DIEGO UNIFIED SCHOOL  
Petition for review denied

Brown, J., was absent and did not participate.

**S115431**

B151730 Second Appellate District,  
Division One

SHAFER v. BERGER, KAHN, SHAFTON, MOSS  
Petition for review & depublication request denied

Brown, J., was absent and did not participate.  
Kennard, J., and Chin, J., are of the opinion the petition should be granted

**S115440**

H022467 Sixth Appellate District

SCOTT CO. OF CALIF. v. UNITED STATES FIDEL  
Petition for review denied

Brown, J., was absent and did not participate.

**S115539**

B165972 Second Appellate District,  
Division Two

DAVIS (RICHARD ANTHONY) ON H.C.  
Petition for review denied as moot.

Brown, J., was absent and did not participate.

**S115554**

G029660 Fourth Appellate District,  
Division Three

FENN v. W.C.A.B.

Petition for review denied

Kennard, J., and Moreno, J., are of the opinion  
the petition should be granted.

Brown, J., was absent and did not participate.

**S115744**

B147480 Second Appellate District,  
Division Seven

PALMER v. SCHINDLER ELEVATOR CORP.

Petition for review denied

Brown, J., was absent and did not participate.

**S115836**

C040739 Third Appellate District

MARINE FORESTS SOCIETY v. CALIFORNIA  
COASTAL COMMISSION

Petition for review denied

Request for judicial notice denied.

Brown, J., was absent and did not participate.

**S115941**

C043467 Third Appellate District

HOPKINS v. W.C.A.B. (GRANT JOINT UNIFIED)

Petition for review denied

Brown, J., was absent and did not participate.

**S115960**

B156588 Second Appellate District,  
B159175 Division One

PEOPLE v. JONES

Petition for review denied

Brown, J., was absent and did not participate.

**S116022**

H021790 Sixth Appellate District

PEOPLE v. MURPHY

Petition for review denied

Baxter, J., and Moreno, J., are of the opinion  
the petition should be granted.

Brown, J., was absent and did not participate.

**S116045**

G030330 Fourth Appellate District,  
Division Three

DICKINSON, MARRIAGE OF

Petition for review denied

Brown, J., was absent and did not participate.

**S116057**  
H022872 Sixth Appellate District

SIM v. SAN JOSE APPEALS HEARING BOARD  
Petition for review denied

Brown, J., was absent and did not participate.

**S116082**  
B160323 First Appellate District,  
Division Five

K. (JOHNATHON), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116093**  
C040955 Third Appellate District

PEOPLE v. CANFIELD  
Petition for review denied

Brown, J., was absent and did not participate.

**S116097**  
B165420 Second Appellate District,  
Division Eight

STONE BOARDWEAR v. S.C. (THE ACTIVE  
WALLACE GROUP)  
Petition for review denied

Brown, J., was absent and did not participate.

**S116107**  
B164574 Second Appellate District,  
Division Six

LINDSEY v. W.C.A.B.  
Petition for review denied

Brown, J., was absent and did not participate.

**S116113**  
G030551 Fourth Appellate District,  
Division Three

SOUTH COAST CAB COPANY v. CITY OF  
Petition for review denied

Brown, J., was absent and did not participate.

**S116141**  
B157496 Second Appellate District,  
Division One

PEOPLE v. EVANGELISTI  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.  
Brown, J., was absent and did not participate.

**S116153**

B160166 Second Appellate District,  
B161723 Division Six

MARIAN v. STATE OF CALIFORNIA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116162**

B167047 Second Appellate District,  
Division Eight

VALDEZ v. S.C. (CITY OF LOS ANGELES)  
Petition for review denied

Brown, J., was absent and did not participate.

**S116193**

B159024 Second Appellate District,  
Division Six

MARIAN v. STATE OF CALIFORNIA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116204**

D040863 Fourth Appellate District,  
Division One

M. ( LUKE), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116220**

C032896 Third Appellate District

PEOPLE v. TERRY  
Petition for review denied

Brown, J., was absent and did not participate.

**S116222**

A098511 First Appellate District,  
Division Two

FERRIS v. EMPLOYMENT DEVELOPMENT  
DEPARTMENT  
Petition for review denied

Brown, J., was absent and did not participate.

**S116224**

B162040 Second Appellate District,  
Division Three

WAYNE v. LINDNER  
Petition for review denied

Brown, J., was absent and did not participate.

**S116245**

A097319 First Appellate District,  
Division One

VELASQUEZ v. TELLECHEA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116250**

G025549 Fourth Appellate District,  
Division Three

PEOPLE v. JACKSON

Petition for review denied

Brown, J., was absent and did not participate.  
Moreno, J., is of the opinion the petition  
should be granted.

**S116257**

G031247 Fourth Appellate District,  
G031288 Division Three

B. (KEELEE), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

**S116259**

B154962 Second Appellate District,  
Division Two

PEOPLE v. SFERA

Petition for review denied

Brown, J., was absent and did not participate.

**S116263**

C041136 Third Appellate District

CALIFORNIA LAW ENFORCEMENT

ASSOCIATION v. TALBOT

Petition for review and publication request denied

Brown, J., was absent and did not participate.

**S116264**

B159204 Second Appellate District,  
Division Eight

SMITH-MEREDITH v. MEREDITH

Petition for review denied

Brown, J., was absent and did not participate.

**S116273**

B167029 Second Appellate District,  
Division Six

WILLIAMS v. SUPERIOR COURT (VENTURA

Petition for review denied

Brown, J., was absent and did not participate.

**S116275**

WIEMANS, IN RE

Order filed

Application for extraordinary relief and  
petition for writ of review denied.

Brown, J., was absent and did not participate.

**S116277**

F038457 Fifth Appellate District

PEOPLE v. FULLER

Petitions for review denied

Brown, J., was absent and did not participate.

**S116280**

E031822 Fourth Appellate District,  
Division Two

PEOPLE v. THOMPSON

Petition for review denied

Brown, J., was absent and did not participate.

**S116289**

A095644 First Appellate District,  
Division Three

PEOPLE v. MARTIN

Petition for review denied

Baxter, J., was absent and did not participate  
Kennard, J., is of the opinion the petition  
should be granted.

**S116292**

H022364 Sixth Appellate District

WHENMOUTH v. STATE OF CALIFORNIA

Petition for review & publication request denied

Brown, J., was absent and did not participate.

**S116300**

G032303 Fourth Appellate District,  
Division Three

MULLIKIN v. S.C. (MULLIKIN)

Petition for review denied

Brown, J., was absent and did not participate.

**S116319**

C040424 Third Appellate District

PEOPLE v. EWING

Petition for review denied

Brown, J., was absent and did not participate.

**S116335**

B161179 Second Appellate District,  
Division Seven

SCHAEFER, INC. v. BEN & KLING

HOMEOWNERS ASSN. INC.

Petition for review denied

Brown, J., was absent and did not participate.

**S116336**

B158307 Second Appellate District,  
Division One

PEOPLE v. CRUMSEY  
Petition for review denied

Brown, J., was absent and did not participate.  
Kennard, J., and Moreno, J., are of the opinion  
the petition should be granted.

**S116344**

B158576 Second Appellate District,  
Division Two

PEOPLE v. MARRERO  
Petition for review denied

Brown, J., was absent and did not participate.

**S116349**

G028106 Fourth Appellate District,  
Division Three

PEOPLE v. SANTANA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116352**

A097322 First Appellate District,  
Division Two

PEOPLE v. HISKAS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116371**

D042042 Fourth Appellate District,  
Division One

ANGEL v. S.C. (COUNTY OF SAN DIEGO)  
Petition for review denied

Brown, J., was absent and did not participate.

**S116372**

A096221 First Appellate District,  
Division Five

HOLLOWAY GARCIA v. BROWN  
Petition for review denied

Brown, J., was absent and did not participate.

**S116413**

F042926 Fifth Appellate District

O'NEAL (BOBBY L.) ON H.C.  
Petition for review denied

Brown, J., was absent and did not participate.

**S116421**

H022992 Sixth Appellate District

PEOPLE v. CRANKE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116422**

B159138 Second Appellate District,  
Division One

PEOPLE v. APPLEBY

Petition for review denied

Brown, J., was absent and did not participate.

**S116426**

G028887 Fourth Appellate District,  
G028889 Division Three

PETERS v. BRIGHTON-BRANNON

Petition for review denied.

Request for judicial notice denied.

Brown, J., was absent and did not participate.

**S116433**

B161623 Second Appellate District,  
Division Eight

PEOPLE v. STALLWORTH

Petition for review denied

Brown, J., was absent and did not participate.

**S116458**

H024248 Sixth Appellate District

WARFEL v. COUNTY OF SANTA CLARA

Petition for review denied

Brown, J., was absent and did not participate.

**S116497**

F037684 Fifth Appellate District

PEOPLE v. PEARSON

Petition for review denied

Brown, J., was absent and did not participate.

**S116507**

A100191 First Appellate District,  
Division Five

WONG v. CITY OF BERKELEY

Petition for review denied

Brown, J., was absent and did not participate.

**S116517**

C039755 Third Appellate District

PEOPLE v. HESS

Petition for review denied

Brown, J., was absent and did not participate.

**S116518**

G030548 Fourth Appellate District,  
Division Three

BURGE v. GOURLEY

Petition for review denied

Brown, J., was absent and did not participate.

**S116520**  
F039997 Fifth Appellate District

PEOPLE v. MORNING  
Petition for review denied

Brown, J., was absent and did not participate.

**S116521**  
B153836 Second Appellate District,  
Division Seven

SOKOL v. 20TH CENTURY INSURANCE  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.  
Brown, J., was absent and did not participate.

**S116522**  
B161617 Second Appellate District,  
Division Five

PEOPLE v. ANDERSON  
Petition for review denied

Brown, J., was absent and did not participate.

**S116523**  
C035814 Third Appellate District

OPONG-MENSAH v. JACKSON  
Petition for review denied

Brown, J., was absent and did not participate.

**S116526**  
C043613 Third Appellate District

REICHENBERG v. W.C.A.B. (SACRAMENTO  
COUNTY)  
Petition for review denied

Brown, J., was absent and did not participate.

**S116530**  
F040429 Fifth Appellate District

PEOPLE v. OJEDA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116532**  
G026280 Fourth Appellate District,  
G027421 Division Three

PEOPLE v. TEAMER and MILES  
Petition for review denied

Brown, J., was absent and did not participate.

**S116541**  
H021684 Sixth Appellate District

PEOPLE v. TURNER  
Petition for review denied

Brown, J., was absent and did not participate.

**S116544**  
B158127 Second Appellate District,  
Division Eight

YAMADA v. VAN DEVENTER  
Petition for review denied

Brown, J., was absent and did not participate.

**S116546**  
F041708 Fifth Appellate District

D. (S), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116547**  
H023885 Sixth Appellate District

PEOPLE v. ZAMORA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116555**  
C041094 Third Appellate District

PEOPLE v. GUERRA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116558**  
B156833 Second Appellate District,  
Division Seven

K. (LEONARD), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116562**  
A093869 First Appellate District,  
Division Five

PEOPLE v. COUNCIL  
Petition for review denied

Brown, J., was absent and did not participate.

**S116563**  
A096369 First Appellate District,  
Division Five

PEOPLE v. ALEXANDER  
Petition for review denied

Brown, J., was absent and did not participate.

**S116567**

G031675 Fourth Appellate District,  
Division Three

G. (LUIS) v. S.C. (ORANGE COUNTY SOCIAL  
SERVICES

Petition for review denied

Brown, J., was absent and did not participate.

**S116568**

B160018 Second Appellate District,  
Division One

PEOPLE v. HAYMOND

Petition for review denied

Brown, J., was absent and did not participate.

**S116570**

E031623 Fourth Appellate District,  
Division Two

PEOPLE v. BURGOYNE

Petition for review denied

Brown, J., was absent and did not participate.

**S116572**

A098436 First Appellate District,  
Division Two

PEOPLE v. COPELAND

Petition for review denied

Brown, J., was absent and did not participate.

**S116576**

D041796 Fourth Appellate District,  
Division One

SINGLETON v. S.C. (PEOPLE)

Petition for review denied

Brown, J., was absent and did not participate.

**S116577**

B156699 Second Appellate District,  
Division One

PEOPLE v. MORALES

Petition for review denied

Brown, J., was absent and did not participate.

**S116584**

B151581 Second Appellate District,  
Division Eight

PEOPLE v. TAPLIN

Petitions for review denied

Brown, J., was absent and did not participate.

**S116585**

B160809 Second Appellate District,  
Division Four

B. (JOSHUA), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

**S116588**  
C043994 Third Appellate District

EDSON v. S.C. (PEOPLE)  
Petition for review denied

Brown, J., was absent and did not participate.

**S116589**  
G028881 Fourth Appellate District,  
Division Three

PEOPLE v. CREECH  
Petition for review denied

Brown, J., was absent and did not participate.

**S116593**  
B148217 Second Appellate District,  
Division Two

SCHINE v. ORCO AVIATION INC.  
Petition for review denied

Brown, J., was absent and did not participate.

**S116602**  
A095953 First Appellate District,  
A098766 Division Five

PEOPLE v. ARIAS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116609**  
C037604 Third Appellate District

PEOPLE v. MEDEIROS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116613**  
G030072 Fourth Appellate District,  
Division Three

HUNTINGTON BEACH POLICE OFFICERS  
ASSN. v. CITY OF HUNTINGTON BEACH  
Petition for review denied

Brown, J., was absent and did not participate.

**S116626**  
E031122 Fourth Appellate District,  
Division Two

PEOPLE v. CHAVEZ  
Petition for review denied

Brown, J., was absent and did not participate.

**S116628**  
H023278 Sixth Appellate District

PEOPLE v. REDMOND  
Petition for review denied

Brown, J., was absent and did not participate.

**S116629**  
H023107 Sixth Appellate District

PEOPLE v. SMALLEY  
Petition for review denied

Brown, J., was absent and did not participate.

**S116632**  
B162128 Second Appellate District,  
Division One

PEOPLE v. SPEARS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116633**  
E033658 Fourth Appellate District,  
Division Two

RODRIGUEZ v. S.C. (PEOPLE)  
Petition for review and application for stay denied

Brown, J., was absent and did not participate.

**S116634**  
H023386 Sixth Appellate District

PEOPLE v. WILLIAMS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116637**  
B161546 Second Appellate District,  
Division Five

R. (CLEMENTE) IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116641**  
H023391 Sixth Appellate District

PEOPLE v. TELLY  
Petition for review denied

Brown, J., was absent and did not participate.

**S116642**  
E033419 Fourth Appellate District,  
Division One

PERALTA v. S.C. (PEOPLE)  
Petition for review and application for stay denied

Brown, J., was absent and did not participate.

**S116646**  
C037810 Third Appellate District

PEOPLE v. VIGIL  
Petition for review denied

Brown, J., was absent and did not participate.

**S116647**

A099669 First Appellate District,  
Division One

PEOPLE v. COLLINS

Petition for review denied

Brown, J., was absent and did not participate.

**S116648**

F039753 Fifth Appellate District

PEOPLE v. BRIA

Petition for review denied

Brown, J., was absent and did not participate.

**S116649**

A098136 First Appellate District,  
Division Five

PEOPLE v. BUSTAMANTE

Petition for review denied

Brown, J., was absent and did not participate.

**S116655**

B156757 Second Appellate District,  
Division Six

PEOPLE v. CHURCHWELL

Petition for review denied

Brown, J., was absent and did not participate.

**S116665**

B158662 Second Appellate District,  
Division Seven

H. (E.), IN RE

Petitions for review denied

Brown, J., was absent and did not participate.

**S116669**

B156792 Second Appellate District,  
Division Two

PEOPLE v. ZACARIAS

Petition for review denied

Brown, J., was absent and did not participate.

**S116671**

F040715 Fifth Appellate District

PEOPLE v. RICHARDSON

Petition for review denied

Brown, J., was absent and did not participate.

**S116687**

F041572 Fifth Appellate District

A. (JOHN), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

**S116688**

B155173 Second Appellate District,  
Division Three

PEOPLE v. JERNIGAN  
Petition for review denied

Brown, J., was absent and did not participate.

**S116689**

C040346 Third Appellate District

P. (TORI), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116691**

F039610 Fifth Appellate District

PEOPLE v. SHUE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116692**

H024646 Sixth Appellate District

PEOPLE v. DELCOMB  
Petition for review denied

Brown, J., was absent and did not participate.

**S116703**

A096650 First Appellate District,  
Division Five

PEOPLE v. NAMPHA  
Petition for review denied

Brown, J., was absent and did not participate.

**S116714**

B161153 Second Appellate District,  
Division Seven

R. (LOUIS), IN RE  
Petition for review denied

Brown, J., was absent and did not participate.

**S116715**

A102725 First Appellate District,  
Division One

HARRIS (ARTHUR) ON H.C.  
Petition for review denied

Brown, J., was absent and did not participate.

**S116721**

E031378 Fourth Appellate District,  
Division Two

PEOPLE v. HILLIARD  
Petition for review denied

Brown, J., was absent and did not participate.

**S116724**

D039139 Fourth Appellate District,  
Division One

PEOPLE v. HERNANDEZ  
Petition for review denied

Brown, J., was absent and did not participate.

**S116731**

E031662 Fourth Appellate District,  
Division Two

PEOPLE v. ROMERO  
Petition for review denied

Brown, J., was absent and did not participate.

**S116749**

B157098 Second Appellate District,  
Division Six

PEOPLE v. VILLALOBOS  
Petition for review denied

Brown, J., was absent and did not participate.

**S116815**

D041072 Fourth Appellate District,  
Division One

COPLEY PRESS v. S.C. (WESTERFIELD)  
Petition for review denied

Brown, J., was absent and did not participate.

**S109220**

PERRY (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S110316**

LAZOR (PF) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S110403**

TAYLOR (KIRELL F.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S110797**

TAYLOR (KIRELL F.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111128**

ROBINSON (O'LYRIC) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111218**

PEREZ (ALEJANDRO H. ) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111232**

MOORE (THOMAS E.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111261**

GALINDO (OSCAR) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111425**

FRISBEE (XAVIER R.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111438**

CALDWELL (DAMON) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111454**

MAPINDUZI (AHADI J) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111460**

CORRALES (GEORGE) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111523**

TAYLOR (KIRELL F.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111634**

SANCHEZ (LAWRENCE D.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111663**

PITTS (EDGAR) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111700**

RHODES (LOUIS H.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111701**

BROWN (THEARTRA C.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111709**

RISHER (RICHARD C.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111856**

HARRISON (MARCUS L.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S111908**

HENNAGAN (THOMAS L.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S111921**

HOLMES (ERIC V.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112001**

HUGHES (MICHAEL W.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112055**

DIXON (BOBBY RAY) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112064**

BOWIN (MATTHEW P.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112096**

WARFIELD (KENZEL) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112097**

WILLIAMS (ERIS L.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112123**

JETT (DERRICK SHAWN) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112135**

HICKS (HARMON) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112164**

RUCKER (DAVID) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112205**

JACKSON (KEVIN) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112297**

SMITH (WILLIAM A.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112299**

WOODS (STEVEN) ON H.C.  
Petition for writ of habeas corpus & stay denied

Brown, J., was absent and did not participate.

**S112304**

TUPLING (ALBERT) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112308**

REYNOLDS (CHARLES E.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112336**

DEBACCO (JAMES) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112354**

MORRIS (ANDRE J.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112356**

KEKONA (MCKINLEY K.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112360**

BARNHART (LOREN) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112363**

GARIBAY (JOSE LUIS) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112728**

HOLMES (HENRY JAMES) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112730**

OETTING (PATRICIA L.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S112733**

RODRIGUEZ (THOMAS) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S112765**

CAMPOS (MIGUEL G.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S113869**

CARLIN (ANTHONY W.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S114039**

MOYNAHAN (JIM) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S114419**

HARRIS (HENRY D.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S114447**

THOMAS (DANIELLE) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

Brown, J., was absent and did not participate.

**S114559**

REYES (RODOLFO) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S114589**

LAZOR (PF) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S114625**

HUIZAR (TITO G.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S115845**

A097363 First Appellate District,  
Division Five

SIMON (RICKERSIAN) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S115935**

BENICKI (RAYMOND R.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S116338**

HALL (MICHAEL BRIAN) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S116656**

REDMOND (RICK) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

**S117158**

HAYES (ROYAL K.) ON H.C.  
Petition for writ of habeas corpus denied

The petition for writ of habeas corpus filed on  
July 1, 2003, is denied on the merits.  
Brown, J., was absent and did not participate.

**S115118**

B155829 Second Appellate District,  
Division Seven

INFANTE v. LOS ANGELES CIVIL SERVICE  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S115198**

E031862 Fourth Appellate District,  
Division Two

HAVERSTOCK v. HOGE  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S115319**

B162059 Second Appellate District,  
Division Seven

BIRD, MARELLA, BOXER v. S.C. (REINER)  
Depublication request denied (case closed)

Brown, J., was absent and did not participate.

**S115426**

B155552 Second Appellate District,  
Division Six

SANTA CLARITA ORGANIZATION v. COUNTY  
OF LOS ANGELES (THE NEWHALL LAND)  
Depublication request denied (case closed)

Brown, J., was absent and did not participate.

**S115623**

B161111 Second Appellate District,  
Division One

M. (ARIANA), IN RE  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116207**

B162815 Second Appellate District,  
Division Two

W. (LOURDES), IN RE  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116244**

G028614 Fourth Appellate District,  
Division Three

PARK ACCESS & RESTORATION COMMITTEE  
v. CITY OF LAGUNA NIGUEL  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116525**

G031947 Fourth Appellate District,  
Division Three

BRIGHTON-BRANNON v. JAMES MOCK, INC.  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116657**

B155930 Second Appellate District,  
Division One

H. (JASMINE), IN RE  
Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116676**

A100485 First Appellate District,  
Division One

PEOPLE v. ESPINOZA  
Depublication request denied (case closed)

Brown, J., was absent and did not participate.

**S116802**

G029634 Fourth Appellate District,  
Division Three

LINDHOLM v. SWEDELSON

Publication request denied (case closed)

Brown, J., was absent and did not participate.

**S116058**

C028033 Third Appellate District

PEOPLE v. SPENCE

Time extended to grant or deny review

to August 15, 2003

**S116337**

E031694 Fourth Appellate District,  
Division Two

BRAHAM v. SAN BERNARDINO

Time extended to grant or deny review

to August 27, 2003

**S029489**

PEOPLE v. HOWARD (ALPHONSO)

Extension of time granted

to September 15, 2003 to file appellant's opening brief. After that date, no further extension will be granted. Extension granted based upon Deputy State P.D. David Adams's representation that he anticipates filing AOB by that date.

**S051451**

PEOPLE v. VALENCIA (ALFREDO)

Extension of time granted

to September 12, 2003 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S060803**

PEOPLE v. MUNGIA (JOHN)

Extension of time granted

to September 12, 2003 to file appellant's opening brief. The court anticipates that after

that date, only one further extension totaling about 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S064337****PEOPLE v. ROGERS (RAMON)**

Extension of time granted

to September 12, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S068536****PEOPLE v. MCWHORTER (RICHARD)**

Extension of time granted

to September 12, 2003 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S071265****MICHAELS (KURT) ON H.C.**

Extension of time granted

to August 11, 2003 to file reply to supplemental informal response. The court anticipates that after that date, only two further extensions totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any,

and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S113321**

A092782 First Appellate District,  
Division Four

PEOPLE v. WALLACE  
Extension of time granted

Respondent's time to serve and file the opening brief is extended to and including August 15, 2003.  
No further extensions of time will be granted.

**S114375**

A096083 First Appellate District,  
Division Five

PEOPLE v. BRAXTON  
Extension of time granted

Appellant's Brief on the Merits shall be filed within thirty days from the date the court decides appellant's motion to dismiss review as improvidently granted.

**S114982**

CHATMAN (ERIK SANFORD) ON H.C.  
Extension of time granted

to August 11, 2003 to file informal response. After that date, only three further extensions totaling about 100 additional days will be granted. Extension granted based upon Deputy AG Jeremy Friedlander's representation that he anticipates filing the document by 11-18-2003.

**S116554**

AVILA (JOHNNY) ON H.C.  
Extension of time granted

to August 11, 2003 to file informal response. After that date, only five further extensions totaling about 150 additional days will be granted. Extension granted based upon Deputy AG Louis Vasquez's representation that he anticipates filing the document by January 16, 2004.

**S072316**

PEOPLE v. GONZALES (VERONICA)  
Counsel appointment order filed

appointing Mark E. Cutler to represent  
appellant for the direct appeal.

**S072949**

PEOPLE v. BRASURE (SPENCER R.)  
Order filed appointing State Public Defender

to represent appellant for the direct appeal.

**S040703**

PEOPLE v. ROBINSON (JAMES)  
Order filed

granting appellant's application for relief from  
default to file reply brief and application to  
file oversize brief.

**S113466**  
C038753 Third Appellate District

MARINE FORESTS SOCIETY v. CALIFORNIA  
COASTAL COMMISSION  
Order filed

The application of the California Coastal  
Commission to file Appendix of State Court  
Decisions is hereby granted. (2 volumes)

**S065575**

CHAMPION (STEVE A.) ON H.C.  
Referee appointed

THE COURT:

Based on the record in this matter and good cause  
appearing:

The Honorable William Fahey, Judge of the Los  
Angeles County Superior Court, is appointed to sit as  
a referee in this proceeding. He shall take evidence  
and make findings of fact on these questions regarding  
the case of *People v. Steve Allen Champion* (Los  
Angeles County Superior Court No. A365075; Judge  
William B. Keene):

1. What actions did petitioner's trial counsel take  
to investigate potential evidence that could have been  
presented in mitigation at the penalty phase of

petitioner's capital trial? What were the results of that investigation?

2. What additional mitigating evidence, if any, could petitioner have presented at the penalty phase? How credible was this evidence?

3. What investigative steps, if any, would have led to this additional evidence? In 1982, when petitioner's case was tried, would a reasonably competent attorney have tried to obtain such evidence and to present it at the penalty phase?

4. What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence damaging to petitioner, but not presented by the prosecution at the guilt or penalty trials, would likely have been presented in rebuttal if petitioner had introduced this evidence?

5. Did petitioner do or say anything to hinder or prevent the investigation or presentation of mitigating evidence at the penalty phase, or did he ask that any such evidence not be presented? If so, what did he do or say?

The Referee is directed to prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and the findings of fact made.

**S117428**

**GHAZARIAN ON REINSTATEMENT**

Petitioner reinstated

Upon petition for reinstatement and recommendation of the State Bar of California, it is ordered that **GARO B. GHAZARIAN** be reinstated as a member of the State Bar of California upon payment of the fees and taking the oath required by law.

**S117422**

**BELSHAW ON RESIGNATION**

The voluntary resignation of **ROBERT DORAN BELSHAW, State Bar No. 107661**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered

that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S117423**

**CARR ON RESIGNATION**

The voluntary resignation of **SANDRA GALE CARR, State Bar No. 60756**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should she hereafter seek reinstatement. It is ordered that she comply with rule 955 of the California Rules of Court and that she perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S117429**

**PAPAS ON RESIGNATION**

The voluntary resignation of **Christopher P. Papas, State Bar No. 129593**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

